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7 Attorneys for Defendants
8 HANESBRANDS INC. and
SARA LEE CORPORATION
9

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12

13 TINA HOPSON, individually and on behalf
of all others similarly situated,

14 Plaintiff,

15 vs.

16 HANESBRANDS INC.; SARA LEE
17 CORPORATION and DOES 1 through 50,
inclusive,

18 Defendants.
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No. CV 08-0844 EDL

**DECLARATION OF KATHY GUGINO
IN SUPPORT OF JOINT MOTION FOR
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT**

Date: July 22, 2008
Time: 9:00 a.m.
Courtroom: E (15th Floor)
Judge: Hon. Elizabeth D. Laporte

1 I, Kathy Gugino, declare:

2 1. I have personal knowledge of the facts set forth in this declaration and, if called upon to
3 do so, I could and would competently testify to them under oath.

4 2. I have been employed by Hanesbrands Inc. ("Hanesbrands"), one of the defendants in
5 this action, from September 17, 1990, to the present. During this time, I have held various positions in
6 the Customer Management Group. I am currently the Director of the Field Services-Customer
7 Management Group. As the Director of Field Services, I am responsible for in-store operations and
8 merchandising to increase sales volume. Three Regional Managers and five District Managers report
9 directly to me. Service Associates report directly to the Regional and/or District Managers. Among
10 other things, as the Director of Field Services-Customer Management Group, I travel to different
11 districts and travel with Service Associates to different stores. I also select, lead, develop, and motivate
12 the Service Associates. I have observed Service Associates across the country perform their job duties.

13 3. Service Associates daily visit one or more customer stores that sell Hanesbrands products
14 to build relationships with store management; train store management and retail sales associates; gather
15 and communicate information with management and account executives; merchandise products; and
16 execute and plan special events, among other things. Their specific job duties vary by store and time of
17 year. For example, depending on the store, Service Associates may meet with store management to
18 increase and/or improve floor space so that retailers can sell more Hanesbrands products. Service
19 Associates may also provide recommendations to store management on how to increase sales. Service
20 Associates are responsible for training store employees on products, promotions, and fit. As another
21 example, Service Associates may communicate information to management and account executives that
22 they learn while visiting the stores, such as information regarding the effectiveness of promotions,
23 competitive new products, customer feedback, stock levels, and the space and location of product lines.

24 4. Service Associates are provided with a schedule that includes, by day, the stores that they
25 visit and the hours that they visit that store. When a Service Associates is in the store, the Service
26 Associate is responsible for managing his or her time. Service Associates decide when to take lunches
27 and breaks.

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1 5. Service Associates drive to and from the store. Occasionally, Service Associates deliver
2 items to the stores. By way of example, these include giveaways, gifts, training materials, collar tags,
3 and promotional items (e.g., posters, etc.). These items are shipped from North Carolina or New York
4 to each Service Associate's house for final delivery to the stores.

5 I declare under penalty of perjury under the laws of the United States that the foregoing is true
6 and correct and that this was executed on July 24, 2008, at Tempe, Arizona.

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Kathy Gugins